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Exhibit "A"	Picture depicting Complainant Granados' head injury and the associated medical documents.	
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# Miscellaneous Documents



DATE:

December 21, 2001

OFFICE CORRESPO	NDENCE
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FILE:

FROM:

DAVID R. BETKEY, COMMANDER COMMANDER OF THE DEPARTMENT TO: ERIC B. SMITH, CAPTAIN

CENTURY STATION

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS** NON-SHOOTING, MARCH 31, 2001, INVESTIGATION #2042375

> The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on March 31, 2001.

> The Committee met on December 20, 2001 and consisted of myself, Commander Patrick Mallon (Commander of the Department) and Commander William McSweeney (Office of the Undersheriff). The Committee deemed:

> as **Unfounded** the allegation that Deputy violated the Department's Manual of Policy and Procedure sections(s) 3-09/025.10, Unreasonable Force, and as **Unfounded** the allegation that Deputy violated the

Department's Manual of Policy and Procedure sections(s) 5-09/430.00, Failure

to Report the Use of Force, and

as Unfounded the allegation that Deputy Kamal Ahmad # violated the Department's Manual of Policy and Procedure sections(s) 5-09/430.00, Use of Force Reporting and Review Procedures, and

as Unfounded the allegation that Deputy violated the Department's Manual of Policy and Procedure sections(s) 5-09/430.00, Use of Force Reporting and Review Procedures.

The Committee further determined that the non-hit shooting by Deputy was within Department policy. Please advise the deputy of this finding.

DRB:KRK:kk

IAB CASE #2042375

DARYL GAUNT # DEPUTY SHERIFF
CENTURY STATION
(323)567-8121

Witness Gaunt was interviewed at Century Station on August 8, 2001, by Sergeant Terry Benjestorf of the Internal Affairs Bureau. He was provided an "Admonition for Witnesses" form, which he read, understood, and signed. The following is a summary of that interview.

Witness Gaunt said he and his partner, Deputy David Goodwin, were working Unit 217H during the early morning shift on March 31, 2001. They responded to assist other Century units with the "gangster party" at 60<sup>th</sup> and Makee Avenue. After breaking up the party, they heard several gun shots originating from somewhere west of them. Shortly thereafter, they heard emergency radio traffic, "Deputy involved in a pursuit." When they turned onto northbound Compton Boulevard, the pursuit was well ahead of them. The pursuit terminated east of Compton Boulevard and the suspects were seen running westbound towards them. As they continued northbound on Compton Boulevard, they heard a deputy on the radio say, "Unit northbound on Compton, turn around, turn around, they are right there." Witness Gaunt made a u-turn and was now heading southbound on Compton Boulevard. He saw Suspect Granados running west off of 55<sup>th</sup> or 56<sup>th</sup> street, and then north on the east sidewalk of Compton Boulevard. Deputy was approximately 20 yards behind him. They crossed over the northbound lanes and stopped their patrol car askew of the east curb line, approximately ten to fifteen yards away from the suspect.

Suspect Granados, who appeared to be worn out from the foot pursuit, surrendered when he saw their (Deputies Gaunt and Goodwin) lights and guns pointed at him. Suspect Granados was either going to his knees or was already on his knees before a winded Deputy made contact with him.

**Investigator Note:** 

witness Gaunt could not remember exactly how Deputy made his initial contact with Suspect Granados or how he was placed into the prone position. However, he used his hands to indicate a grasping motion, suggesting Deputy may have grabbed the back of the suspect's shirt.

Witness Gaunt said he maintained a constant visual on Suspect Granados until he was proned out. Consequently, he was certain that no force was used on him during that time. However, he did not see him being handcuffed because his attention was drawn to Deputy Gellis, who was south of him on Compton Boulevard. He felt that if a scuffle had occurred, or if something "metallic" was used to strike Suspect Granados, he was close enough to have been aware of it even though his attention was diverted.

Witness Gaunt explained how he and his partner were not sure how many suspects there were because the radio traffic was somewhat "garbled." He wrongfully assumed Granados was the only suspect, and for safety reasons, got on the radio to shut down further code-3 responses. Deputy Gellis re-acquired the patch and put out further information regarding the outstanding suspects

Witness Gaunt said someone placed Suspect Granados into his back seat. He remained with them while they took a containment position on 55th Street, east of Compton Boulevard. Witness Gaunt described the suspect as "dirty," but he didn't notice if he had any injuries. Suspect Granados never claimed force was used on him, but he did complain about the handcuffs being too tight. Witness Gaunt adjusted them to make him more comfortable.

IAB CASE #2042375

DAVID GOODWIN #
DEPUTY SHERIFF
CENTURY STATION
(323)567-8121

Witness Goodwin was interviewed at Century Station on August 16, 2001, by Sergeant Terry Benjestorf of the Internal Affairs Bureau. He was provided an "Admonition for Witnesses" form, which he read, understood, and signed. The following is a summary of that interview.

Witness Goodwin said he and his partner, Deputy Daryl Gaunt, were working Unit 217H during the early morning shift on March 31, 2001. They responded to assist other Century units with a "gangster party" at 60th and Makee Avenue. They took a position in the alley behind the location. As the party was breaking up, they heard gunshots originating from somewhere west of them. They backed out of the alley and saw several other units quickly accelerating away from the party. As they drove toward Compton Boulevard, they heard the emergency radio traffic regarding the deputy involved shooting and vehicle pursuit. They turned northbound onto Compton Boulevard and tried to catch up to the pursuit. Shortly thereafter, they learned the pursuit had terminated and deputies were in foot pursuit of the suspects. As they continued northbound on Compton Boulevard, someone advised them over the radio that the suspects were coming out onto Compton Boulevard, right behind them. They made a u-turn and saw Suspect Granados come around the corner of 56th, was behind him. They crossed over the onto northbound Compton Boulevard. Deputy northbound lanes and stopped their patrol car approximately fifteen yards away from the suspect. They drew their weapons and ordered him to stop. Suspect Granados appeared to be "out of steam." He put his hands up and went to his knees before a winded Deputy made contact with him. Deputy Ahmad was not far behind. Witness Goodwin did not see Suspect Granados being handcuffed because his attention was drawn to a group of gang members who were congregating on the west side of Compton Boulevard. However, he was certain no force was used while he was watching Suspect Granados. He also felt that if a scuffle had occurred while his attention was diverted, he was close enough to have been aware of it.

Witness Goodwin said someone placed Suspect Granados into his back seat, where the suspect remained during the containment. Suspect Granados never complained about being injured and Witness Goodwin didn't notice any injuries on him.

IAB CASE #2042375

BRIAN GELLIS # DEPUTY SHERIFF
CENTURY STATION
(323)567-8121

Witness Gellis was interviewed at Century Station on August 20, 2001, by Sergeant Terry Benjestorf of the Internal Affairs Bureau. He was provided an "Admonition for Witnesses" form, which he read, understood, and signed. He was also given an opportunity to review the Complaint Report he wrote under file number 401-05887-2170-051. He said it remained an accurate reflection of the incident. The following is a summary of his interview and the information contained in his report.

Witness Gellis was working the early morning shift with his partner, Deputy Eric Keuhl, on March 31,2001. They drove to the area of 60<sup>th</sup> Street and Makee Avenue to assist other Century units with disbursing a large party. They monitored the crowd, which contained approximately 50-80 "Florencia" gang members, as they walked toward Compton Avenue.

Witness Gellis and his partner left the location and were traveling westbound on 60<sup>th</sup> Street towards Compton Avenue when they heard "a bunch of gunshots." He saw Unit 216S (Sergeant Wegener) stopped directly behind Unit 217E (Deputies Ahmad and Deputy Ahmad's patrol car was stopped on top of the crosswalk on 60<sup>th</sup> Street at Compton Avenue, facing in a slight northwest direction. Deputy Ahmad and Sergeant Wegener were crouched behind the driver's side with their duty weapons pointed north. Deputy was using a telephone pole, located near the passenger side, for cover.

Witness Gellis saw people everywhere. Several were lying on the ground on the west side of Compton Avenue. His attention was drawn to a male (later identified as Suspect Jose Cabrera) running northbound on Compton Avenue. Suspect Cabrera got into the driver's side rear passenger seat of a silver Mitsubishi that was stopped on Compton Avenue, just south of 59<sup>th</sup> Street.

When the suspect vehicle sped northbound, Deputy Gellis initiated a pursuit and requested assistance. The pursuit terminated a few blocks away on Fortuna Avenue, at the entrance of an east-west alley between 56<sup>th</sup> and 57<sup>th</sup> Streets. All three suspects fled on foot. Deputies Gellis and Keuhl chased Suspects Monterosa and Cabrera westbound through the alley. Deputies Ahmad, and ran northbound on Fortuna Avenue after Suspect Granados. Deputies Gellis and Keuhl lost sight of their suspects, so Deputy Gellis started setting up the containment. While doing so, Deputy Gaunt came on the radio and advised that one suspect (Granados) was in custody. At no time was Deputy Gellis in a position to see Suspect Granados taken into custody.

Deputy Gellis later identified Suspect Granados. He did not see any injuries on Suspect Granados, nor did he complain of any.

IAB CASE #2042375

ERIC KEUHL # DEPUTY SHERIFF CENTURY STATION (323)567-8121

Witness Keuhl was interviewed at Century Station on August 20, 2001, by Sergeant Terry Benjestorf of the Internal Affairs Bureau. He was provided an "Admonition for Witnesses" form, which he read, understood, and signed. He was also given an opportunity to review the Complaint Report written by his partner, Deputy Brian Gellis, under file number 401-05887-2170-051. He said it remained an accurate reflection of the incident. The following is a summary of his interview and the information contained in his report.

Witness Keuhl was working the early morning shift on March 31, 2001, with Deputy Gellis. They drove to the area of 60<sup>th</sup> Street and Makee Avenue to assist other Century units with disbursing a large party. They monitored the crowd as they walked toward Compton Avenue.

Witness Keuhl and his partner left the location and were traveling westbound on 60<sup>th</sup> Street towards Compton Avenue when they heard several gunshots. He saw Deputies Ahmad and Sergeant Wegener, get out of their patrol cars and take a position of cover. When he and Gellis caught up to them, Deputy Gellis saw a suspect (Jose Cabrera) get into a car (Mitsubishi) and flee northbound on Compton Avenue.

Deputy Gellis initiated a pursuit. The pursuit terminated a couple blocks away on Fortuna Avenue, at the entrance of an east-west alley between 56<sup>th</sup> and 57<sup>th</sup> Streets. All three suspects fled on foot. Deputies Keuhl and Gellis chased Suspects Monterosa and Cabrera westbound through the alley. Deputies and Ahmad ran northbound on Fortuna Avenue after Suspect Granados. Deputies Keuhl and Gellis lost sight of their suspects, so Deputy Gellis started setting up the containment. Deputy Keuhl went back to retrieve their patrol car. He recalled hearing someone on the radio say that one suspect (Granados) was in custody. At no time was Deputy Keuhl in a position to see Suspect Granados taken into custody.

Deputy Keuhl was later trying to identify Suspect Granados, but was unable to do so. However, he didn't notice any injuries on Suspect Granados, nor did he (Granados) complain of any.

*IAB CASE #2042375* 

JOHN MACDONALD #
DEPUTY SHERIFF
CENTURY STATION
(323)567-8121

Witness MacDonald was interviewed at Century Station on August 20, 2001, by Sergeant Terry Benjestorf of the Internal Affairs Bureau. He was provided an "Admonition for Witnesses" form, which he read, understood, and signed. He was also given an opportunity to review the Supplementary Report he wrote under file number 401-05887-2170-051. He said it remained an accurate reflection of his actions that morning. The following is a summary of his interview and the information contained in his report.

Witness MacDonald was working the P.M. shift on March 30, 2001, as Unit 212E2. He was working the Lynwood area when he heard the assistance request regarding the deputy involved shooting. He responded to the Command Post and arrived after the containment had been established and Suspect Granados was taken into custody. He waited there for approximately one hour before being directed to transport Suspect Granados to the station for booking and a Gun Shot Residue (GSR) test.

Witness MacDonald transferred Suspect Granados from Unit 217H (Gaunt and Goodwin) to his. He drove him to Century Station and completed the booking and GSR test. Witness MacDonald also completed the "Arresting Deputy's/Officer's Observations" section of the Medical Screening Form, as required by policy. He did not see any injuries on Suspect Granados; and at no time did Suspect Granados complain force was used on him or that he was injured in any way.

IAB CASE #2042375

KENT WEGENER #
SERGEANT
CENTURY STATION
(323)567-8121

Witness Wegener was interviewed at Century Station on August 23, 2001, by Sergeant Terry Benjestorf of the Internal Affairs Bureau. He was provided an "Admonition for Witnesses" form, which he read, understood, and signed. He was also given an opportunity to review the Foot Pursuit Evaluation Form he authored and the Complaint Report written by Deputy Gellis. The following is a summary of his interview and the information contained in his report.

Witness Wegener said he was leaving the area of a disturbance call and was stopped for a red light on westbound 60<sup>th</sup> Street at Compton Avenue behind Deputies Ahmad and (Unit 217E). He heard gunshots and saw Deputies Ahmad and jump out of their patrol car in an "emergent state." Deputy Ahmad took cover behind the front of their radio car, while Deputy found cover on the northeast corner of 60<sup>th</sup> Street and Compton Avenue. As the gunshots continued, he saw the victims diving onto the ground. Deputy Ahmad fired approximately three rounds from his Department issued Beretta. Witness Wegener positioned himself next to Deputy Ahmad and continued to hear gunshots after Deputy Ahmad had finished firing. In his mind, he thought the suspect was still firing.

Investigator Note: Witness Wegener commented that Deputy Ahmad exercised commendable fire control during the shooting.

Witness Wegener saw a car stopped in the middle of Compton Avenue, north of 60<sup>th</sup> Street. He saw one suspect running towards the car and enter the right rear passenger seat. While they were out of their cars, another radio car passed them and initiated a pursuit. They ran back to their vehicles and joined the pursuit. They followed the suspect vehicle to the mouth of an east west alley on Fortuna Street, between 56<sup>th</sup> and 57<sup>th</sup> Streets. Witness Wegener was the fourth unit to arrive behind Deputies Gellis and Keuhl (216H), Ahmad and (217E), and Doyle and (216F). When he arrived, the doors of the suspect vehicle and two of the radio cars were open. The only deputy he saw near the termination of the pursuit was Deputy Doyle.

Witness Wegener ran up to the passenger side of the suspect vehicle and saw a handgun laying in the passenger compartment. He had a short conversation with Deputy Doyle regarding the gun and then ran northbound on Fortuna Street to 56<sup>th</sup> Street to assume a containment position. At that time, he believed Deputy Doyle went westbound on 56<sup>th</sup> Street. Two of the three suspects were arrested during the containment.

Witness Wegener said that other than the shooting, he did not witness any force, nor was any reported to him.

### SUSPECT INTERVIEW

### IAB CASE #2042375

# JOSE MONTEROSA, BOOKING #6824746

Suspect Monterosa was interviewed at Century Station on March 31, 2001, by Detective Hector Velasquez of Safe Streets Bureau and Sergeant Terry Benjestorf of the Internal Affairs Bureau. The following is a summary of his interview.

Suspect Monterosa admitted he was an active "Eastside Trece" gang member known as "Boxer." He attended a meeting with his fellow gang members where he was counseled for not participating in the gang's activities. At the conclusion of the meeting, Monterosa drove Suspect Granados and another "Eastside Trece" gang member (Later identified as Suspect Jose Cabrera, a.k.a. "Trigger.") to a restaurant in South Gate. On their way home, Monterosa drove them through a rival gang's ("Florencia") area. Suspect Granados was a passenger in the front seat and Suspect Cabrera was seated behind Monterosa.

Investigator Note:

Suspect Monterosa said he didn't see Suspect Cabrera or the deputies shooting. However, he recalled seeing a black car (N.F.D.) parked on the west side of the street. He thought the gunshots may have emanated from it.

As soon as Suspect Cabrera entered the car, Suspect Monterosa fled northbound on Compton Avenue, trying to allude the pursuing patrol car that had suddenly appeared. Suspect Monterosa stopped the car on Fortuna Street, where all three suspects exited and ran from the deputies. Suspect Monterosa said he ran west in the alley, doubled back through some houses, and hid in some bushes.

Suspect Monterosa gave up when he heard the Sheriff unit announce a dog would be used to search for him and his buddies. He said the dog did not bite him, nor did the deputies use any force on him.

#### IAB CASE #2042375

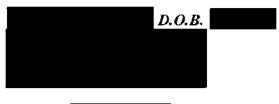
D.O.B.	

Witness was interviewed at the scene on March 31, 2001, by Sergeant Terry Benjestorf of the Internal Affairs Bureau. The following is a summary of that interview:

Witness said she was at the party on Makee Avenue and 60<sup>th</sup> Street with her and her and her the party so they left. They were walking with a male Hispanic "Florencia" gang member who was trying to get telephone number. As they walked northbound on the west sidewalk of Compton Boulevard, approaching 59<sup>th</sup> Street, a car traveling northbound slowed down and yelled something like "What's up" and/or "Westside" to the guy they were walking with. He yelled back, "Florencia." She saw the rear seat passenger start to exit the car and pointed what appeared to be a gun at them. They turned and were running away when she heard the shots being fired at them. She said they ran through a gate, an alley, and then into someone's back yard. They remained there until they heard the deputies and felt it was safe enough to come out.

Witness said she had a good look at the driver and identified him later during a field show-up.

### IAB CASE #2042375



Witness was interviewed at the scene on March 31, 2001, by Sergeant Terry Benjestorf of the Internal Affairs Bureau. The following is a summary of that interview:

Witness said she attended a party on Makee Avenue, between 60<sup>th</sup> and 62<sup>nd</sup> Street, with her and a male Hispanic "Florencia" gang member who was trying to get telephone number. They walked westbound on 60<sup>th</sup> Street to northbound Compton Boulevard. She said the guy they were walking with said something like "What's up" to some guys in a passing car. They yelled something like, "Westside" or "Eastside." The guy they were with identified himself as "Florencia." The next thing she knew, the car stopped and the doors were coming open. She started running and heard 4-5 shots fired at them.

She didn't see any deputies around at the time they were being shot at. She said they hid in someone's backyard for about ten minutes. When they heard the deputies, they felt it was safe enough to come out.

She described the car as dark in color with nice rims. She also had a good look at the driver; and later positively identified both the car and driver for the deputies.

# IAB CASE #2042375

D.O.B.
Witness was interviewed at the scene on March 31, 2001, by Sergeant Terry Benjestorf of the Internal Affairs Bureau. The following is a summary of that interview:
Witness and said she was at the party on Makee Avenue and 60 <sup>th</sup> Street with some friends and and are so he could give her his telephone number. She didn't want to walk with him alone, so and walked with her. They crossed to the west side of Compton Boulevard from 60 <sup>th</sup> Street and were walking northbound towards 59 <sup>th</sup> Street when a car pulled up. The driver yelled, "What's up" to the guy they were with. He responded with, "What's up?" The driver yelled something like, "Westside." The guy they were with yelled back, "This is Florence." When she saw the driver, front seat passenger, and possibly the rear seat passenger start to get out of the car, they started running. She saw the sparks on the ground in front of her from where the rounds were skipping off of the street. She didn't turn around, she just kept running.
She did not see any deputies around at the time they were being shot at. They ran through the mortuary parking lot, southbound through an alley, and then hid in someone's backyard. They called 9-1-1 and remained there for approximately 5-10 minutes before they heard the deputies and felt it was safe enough to come out
Witness said the guy they were with called himself "However, he was laughing at the time and they didn't take him seriously. He was wearing a grey sweater and a navy blue or black baseball cap.
Witness described the car as dark in color, possibly green. It had tinted windows and unforgettable chrome rims. When she saw the suspect vehicle later, she was certain it was the same one.

Witness said she had a clear view of the driver and identified him later in a field show-up.

# IAB CASE #2042375

D.O.B.
Witness was interviewed at her residence on April 4, 2001, by Sergeant Terry
Benjestorf of the Internal Affairs Bureau. The interviewed was conducted with the assistance of an
interpreter,

She was awakened by the lights of the helicopter, but did not go outside to see anything.

## IAB CASE #2042375

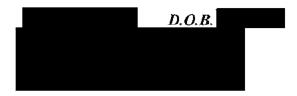


Witness was interviewed on April 4, 2001, by Sergeant Terry Benjestorf of the Internal Affairs Bureau.

He was traveling southbound on Compton Avenue, approaching his home, at approximately 0215 hours. The deputies had Compton Avenue blocked off just north of his home and would not let him through until approximately 0530 hours. While waiting to get through, he heard the helicopter making announcements, but could not recall what they were saying.

# NEIGHBORHOOD CANVAS

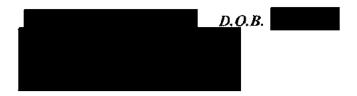
# IAB CASE #2042375



Ms. was contacted at her residence on April 4, 2001, by Sergeants Terry Benjestorf and Henry Reyes of the Internal Affairs Bureau.

She said she and her family were asleep and did not see anything. She recalled hearing a helicopter, but did not get out of bed to see what was going on.

# IAB CASE #2042375



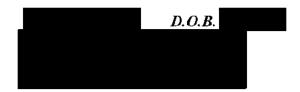
Witness was interviewed at her residence on April 4, 2001, by Sergeants Terry Benjestorf and Henry Reyes of the Internal Affairs Bureau.

She heard some police running and a helicopter overhead, but she couldn't tell if they were chasing anyone. She said there were a lot of police around, but she did not see anyone get arrested.

Witness said her (a), was home and asleep at the time.

# NEIGHBORHOOD CANVAS

# IAB CASE #2042375



Ms. was interviewed at her residence on April 4, 2001, by Sergeants Terry Benjestorf and Henry Reyes of the Internal Affairs Bureau.

She heard a helicopter, but did not get out of bed to see anything.

## IAB CASE #2042375



Witness was interviewed at his residence on April 4, 2001, by Sergeants Terry Benjestorf and Henry Reyes of the Internal Affairs Bureau.

He heard the helicopter and saw the police cars. He did not see anything else. He said there were other people at home, but nobody went outside. He identified the other residents as:



## *IAB CASE #2042375*

DR.

Emergency Room Physician St. Francis Medical Center 3630 East Imperial Highway Lynwood, California 90262 (310)603-6060

Witness was interviewed at St. Francis Medical Center by Sergeant Terry Benjestorf of the Internal Affairs Bureau. The following is a summary of her interview:

Witness is an Emergency Room Physician who was on duty on March 31, 2001, when Complainant Granados was brought in for treatment. She did not personally examine Complainant Granados, but she supervised Physician Assistant who treated him.

Sergeant Benjestorf played her a videotape depicting the injury to Complainant Granados' head. She described the injury as, "A small hematoma with an abrasion on the right posterior occipital area." She was asked if she was able to form an opinion as to how that type of injury could have occurred. She replied, "No, not definitively." She was also asked if she could give some ideas about how that type of injury could occur? She said, "Any type of blunt injury from an object, or possibly a fall. Any just direct trauma to the head."

### IAB CASE #2042375

Emergency Room Physician's Assistant St. Francis Medical Center 3630 East Imperial Highway Lynwood, California 90262 (310)603-6060

Witness was interviewed at St. Francis Medical Center on April 10, 2001, by Sergeant Terry Benjestorf of the Internal Affairs Bureau. The following is a summary of her interview:

Witness treated Complainant Granados on March 31, 2001. Complainant Granados told her he was hit in the head with a flashlight, but he did not complain of any other injuries. In her opinion, the injury could have been caused by any type of blunt force trauma.